Amendments to the Specification:

Please replace the paragraph beginning at page 12, line 26 with the following amended paragraph:

The near completion of the human genome project has resulted in sequence data relating to the structure of many additional cell type-specific promoters being available to the public. In one embodiment, therefor, a cell type-specific sequence to be used in generating a construct according to the invention is obtained from a database such as the Eukaryotic Promoter Database (EPD) [[(http://www.epd.isb-sib.ch/)]]. The sequences included within this database (and other sequence databases) and which are added to these databases are encompassed within the scope of the invention.

Please replace the paragraph beginning at page 14, line 21 with the following amended paragraph:

To define a minimal cell type-specific promoter sequence, sequences upstream of the transcription start site are fused to a reporter gene (e.g., beta-galactosidase, luciferase, chloramphenicol acetyltransferase or CAT, green fluorescent protein or GFP, and the like) in order to determine which sequences are both necessary and sufficient to drive expression of the reporter gene. If sequences are identified which contain the necessary sequences for cell-type specific expression (e.g., tissue-specific and/or tumor-specific), deletions can be made in the 5' flanking sequences of a genomic clone to determine which sequences are minimally required for tissue-type specific expression. This can be performed *ex vivo*, first, by examining the expression of the reporter gene operably linked to the flanking sequences in cell type-specific culture cells, with comparison to expression in non-cell type-specific culture cells, e.g., using primary cell lines obtained from different tissue types or continuous cell lines known to express the properties of specific tissue types, or tumor cell types (such as obtainable from the American Type Culture Collection ATCC®; Manassas, VA~~; http://wssw.atcc.org~~).